

**Thomas P. Riley, SBN 194706
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Attorneys for Plaintiff J & J Sports Productions, Inc.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

J & J Sports Productions, Inc.,

Case No. CV 08-0326.JW

Plaintiff,

REQUEST TO ENTER DEFAULT

vs.

Manuel F. Pacis,

Defendants.

TO: THE CLERK OF THE ABOVE-ENTITLED COURT:

Plaintiff, J & J Sports Production, Inc., hereby requests that the Clerk of the above-entitled Court enter default in this matter against Defendants **Manuel F. Pacis and Rosita T. Pacis, individually and d/b/a Mannyla Rose Restaurant**, on the grounds that said Defendants have failed to appear or otherwise respond to the Summons and Complaint within the time prescribed by the Federal Rules of Civil Procedure.

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1 Said Defendants were duly served with the Summons and Complaint, evidenced
2 by the Proofs of Service on file with this Court.
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5 Dated: September 10, 2008

/s/ Thomas P. Riley

6 **LAW OFFICES OF THOMAS P. RILEY, P.C.**
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By: Thomas P. Riley
Attorneys for Plaintiff
J & J Sports Production, Inc.

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PROOF OF SERVICE (SERVICE BY MAIL)

I declare that:

I am employed in the County of Los Angeles, California. I am over the age of eighteen years and not a party to the within cause; my business address is First Library Square, 1114 Fremont Avenue, South Pasadena, California 91030. I am readily familiar with this law firm's practice for collection and processing of correspondence/documents for mail in the ordinary course of business.

On September 10, 2008, I served:

REQUEST TO ENTER DEFAULT

On all parties referenced by enclosing a true copy thereof in a sealed envelope with postage prepaid and following ordinary business practices, said envelope was duly mailed and addressed to:

Manuel F. Pacis (Defendant)
3570 San Vincent Avenue
Merced, CA 95348

Rosita T. Pacis (Defendant)
3570 San Vincent Avenue
Merced, CA 95348

I declare under the penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct and that this declaration was executed on September 10, 2008, at South Pasadena, California.

Dated: September 10, 2008

/s/ Andrea Chavez
ANDREA CHAVEZ

1 **Thomas P. Riley, SBN 194706**
2 **LAW OFFICES OF THOMAS P. RILEY, P.C.**
3 **First Library Square**
4 **1114 Fremont Ave.**
5 **South Pasadena, CA 91030**

6 **Tel: 626-799-9797**
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9 **Attorneys for Plaintiff**
10 **J & J Sports Productions, Inc.**

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 **J & J Sports Productions, Inc.**

14 **Plaintiff,**

15 **vs.**

16 **Manuel F. Pacis,**

17 **Defendants.**

18 **Case No. CV 08-0326 JW**

19 **AFFIDAVIT OF PLAINTIFF'S**
20 **COUNSEL IN SUPPORT OF**
21 **PLAINTIFF'S REQUEST TO**
22 **ENTER DEFAULT**

23 **To: The Clerk of the above-entitled Court:**

24 I, Thomas P. Riley, declare as follows:

25 1. I am the attorney for J & J Sports Productions, Inc., in the above-entitled
26 action.

27 2. On June 30, 2008, Defendant Manuel F. Pacis was duly served with
28 Summons and Complaints and supplemental suit papers filed in this action. On or
about August 6, 2008, the Proof of Service, evidencing same was filed with the Court.

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3. On July 26, 2008, Defendant Rosita T. Pacis was duly served with Summons and Complaints and supplemental suit papers filed in this action. On or about August 6, 2008, the Proof of Service, evidencing same was filed with the Court.

4. The Defendants have not appeared in this action and have not responded to the Complaint within the time permitted by law.

5. Defendants are not infants, incompetent persons, or persons in military service or otherwise exempted from default judgment under the Soldiers' and Sailors' Civil Relief Act of 1940.

6. Plaintiff respectfully requests default in its favor.

I declare under the penalty of perjury of the laws of the State of California and the United States of America that the above is true and correct.

Respectfully submitted,

Dated: September 10, 2008 /s/ Thomas P.Riley

LAW OFFICES OF THOMAS P. RILEY, P.C.
By: Thomas P. Riley
Attorneys for Plaintiff
J & J Sports Productions, Inc.

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PROOF OF SERVICE (SERVICE BY MAIL)

I declare that:

I am employed in the County of Los Angeles, California. I am over the age of eighteen years and not a party to the within cause; my business address is First Library Square, 1114 Fremont Avenue, South Pasadena, California 91030. I am readily familiar with this law firm's practice for collection and processing of correspondence/documents for mail in the ordinary course of business.

On September 10, 2008, served:

AFFIDAVIT OF PLAINTIFF'S COUNSEL IN SUPPORT OF PLAINTIFF'S REQUEST TO ENTER DEFAULT

On all parties referenced by enclosing a true copy thereof in a sealed envelope with postage prepaid and following ordinary business practices, said envelope was duly mailed and addressed to:

Manuel F. Pacis (Defendant)
3570 San Vincent Avenue
Merced, CA 95348

Rosita T. Pacis (Defendant)
3570 San Vincent Avenue
Merced, CA 95348

I declare under the penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct and that this declaration was executed on September 10, 2008, at South Pasadena, California.

Dated: September 10, 2008

/s/ Andrea Chavez
ANDREA CHAVEZ